

Message Text

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ACTION EUR-12

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C O N F I D E N T I A L SECTION 01 OF 04 OECD PARIS 22178

FOR EB/FSE - BOSWORTH

E.O. 11652: GDS

TAGS: ENRG, OECD

SUBJECT: IEA: MSP EXPERT GROUP MEETING 11-12 SEPTEMBER

1. MISSION HAS RECEIVED FROM SECRETARIAT FOLLOWING NOTE FROM CHAIRMAN MSP EXPERT GROUP, MR. VAN EUPEN (NETHERLANDS), FOR TRANSMISSION TO DELEGATIONS PRIOR TO MEETING 11-12 SEPTEMBER, AT 10 A.M., IN ROOM 5. THE DRAFT TERMS OF REFERENCE FOR THE GROUP IS CONTAINED IN ANNEX I OF IEA/SLT/M(75)13.

2. BEGIN TEXT:

1. IN ORDER TO FACILITATE THE DISCUSSIONS IN THE MSP-EXPERT-GROUP IT SEEMS APPROPRIATE TO IDENTIFY ALREADY A NUMBER OF AREAS AND CONSIDERATIONS WITH RESPECT TO THE ELEMENTS OF THE GROUP'S TERMS OF REFERENCE AS SET OUT IN ANNEX I OF IEA/SLT/M(75)13. THE SECRETARIAT'S PAPER ON THE ISSUES INVOLVED (IEA/SLT(75)75) ALSO SEEMS QUITE SUITABLE FOR THE DISCUSSIONS. THE CHAIRMAN WOULD ALSO LIKE TO INVITE OTHER DELEGATIONS WHICH HAVE AN INTEREST IN THE QUESTION TO FORMULATE IN ADVANCE THEIR REMARKS AND SUGGESTIONS AS TO HOW TO TACKLE THE PROBLEMS.

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2. IT SEEMS QUITE LOGICAL THAT FOR AN EFFECTIVE

MSP-SCHEME OIL PRODUCTS SHOULD BE INCLUDED IN PRINCIPLE FOR A NUMBER OF REASONS. ON THE OTHER HAND, THIS INCLUSION WILL BRING WITH IT A NUMBER OF TECHNICAL COMPLICATIONS WHICH MIGHT BE, IN SOME CASES, ALMOST IMPOSSIBLE TO SOLVE ESPECIALLY ON A SHORT-TERM. TABLE 2 OF THE SECRETARIAT'S PAPER ALREADY INDICATES THE EXISTENCE OF LARGE DIFFERENCES IN THE IMPORTANCE OF THE VARIOUS PRODUCTS FOR THE VARIOUS AREAS. ONE POSSIBILITY MIGHT BE TO APPROACH THE PROBLEMS ON SUCH A REGIONAL BASIS. THE DISCUSSION COULD THEN BE FOCUSED ON THE THREE OR FOUR MOST RELEVANT PRODUCTS. HOWEVER, AS INDICATED IN ANNEX II, THERE IS A VERY SUBSTANTIAL INTRA-EUROPEAN PRODUCT TRADE. THE DEFINITION OF IMPORTED OIL AND THE EXEMPTIONS THERETO ARE THEREFORE ALSO VERY RELEVANT TO THE ISSUE. THE SAME TYPE OF PROBLEMS MIGHT EXIST FOR SEMIPROCESSED FEEDSTOCKS, ALTHOUGH THE QUANTITIES INVOLVED ARE SMALLER. IT SHOULD BE NOTED HOWEVER THAT SEMI-PROCESSED FEEDSTOCKS ARE NOT INCLUDED IN THE DEFINITION OF CRUDE OIL AS LAID DOWN IN THE BRUSSELS TARIFF NOMENCLATURE. FROM A BTN POINT OF VIEW THESE FEEDSTOCKS ARE TREATED AS PETROLEUM PRODUCTS AND CLASSIFIED ACCORDING TO THEIR PRINCIPAL COMPONENTS. FOR THE SAKE OF CONSISTENCY THIS APPROACH SHOULD ALSO BE FOLLOWED WITH REGARD TO THE MSP-SCHEME.

3. ONE POSSIBLE WAY OF APPROACHING THE PROBLEM IS TRYING TO CONCENTRATE ON THOSE PRODUCT FLOWS WHICH PROBABLY WILL BE EXEMPTED UNDER BOTH THE OPTIONS 1 OR 2 OF THE DEFINITION OF IMPORTED OIL. IN THE EUROPEAN CASE, IT IS QUITE OBVIOUS THAT UNDER OPTION 2 THERE IS HARDLY A PROBLEM, ALTHOUGH SOME EUROPEAN COUNTRIES HAVE SIGNIFICANT IMPORTS FROM THE SOVIET UNION. OPTION 1 WITH THE EXEMPTIONS (I.E. CUSTOMS UNIONS AND FREE TRADE AREAS) WILL, FOR PRODUCTS, ALMOST LEAD TO THE SAME SITUATION AS OPTION 2. FOR THE NEXT THREE OR FOUR YEARS ONE MIGHT THEREFORE CONCLUDE THAT THE PRODUCT PROBLEM DOES NOT EXIST FOR THE EUROPEAN AREA, EXCEPT FOR SOME SPECIFIC PRODUCT - FLOWS FROM EASTERN EUROPE. QUITE OBVIOUSLY THIS SITUATION IS DIFFERENT FOR NEW ZEALAND, JAPAN AND NORTH AMERICA. IN THE CASE OF NEW

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ZEALAND, HOWEVER, MORE THAN HALF OF THE PRODUCT IMPORTS COME FROM AUSTRALIA, AND SINCE BOTH COUNTRIES SEEM TO HAVE SPECIAL RELATIONSHIPS WITH REGARD TO TRADE, THERE SEEMS NO REASON WHY PRODUCT-IMPORTS FROM AUSTRALIA COULD NOT BE EXEMPTED. FOR JAPAN AND NORTH AMERICA MORE OR LESS SIMILAR SITUATIONS ARE VALID WITH REGARD TO SINGAPORE AND THE CARIBBEAN AREAS RESPECTIVELY. EXEMPTIONS OF THE PRODUCT

FLows would therefore also substantially limit the problem. This would, however, presuppose that the product-exporting areas would apply by themselves some sort of MSP-mechanism with regard to the crude oil they import.

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ALTHOUGH SOME SPECIAL AGREEMENTS COULD BE NEGOTIATED BETWEEN THE RELEVANT COUNTRIES, THIS SOLUTION MIGHT BE LESS ATTRACTIVE FOR THE IEA-COUNTRIES CONCERNED. THEY MIGHT THEREFORE BE LESS RELUCTANT WITH REGARD TO THE PRODUCT QUESTION. ON THE OTHER HAND, IT SHOULD BE NOTED IN GENERAL THAT THE QUESTION OF PRODUCT-INCLUSION FOR THE NON-EUROPEAN IEA-COUNTRIES MIGHT BE LESS COMPLICATED THAN FOR THE EUROPEAN COUNTRIES.

4. IF ONE DOES ACCEPT THAT THE SYSTEM WOULD - WITH REGARD TO THE PRODUCTS - REACH A DEGREE OF EFFECTIVITY OF ABOUT 80-90 PERCENT, AND THAT THIS DEGREE IS SUFFICIENT FOR THE EUROPEAN COUNTRIES, AN INTERIM SOLUTION COULD BE TO EXCLUDE PRODUCTS FROM THE MSP IN PRACTICE. IN PRINCIPLE, HOWEVER, IT SHOULD BE CLEAR THAT THE PRODUCTS ARE INCLUDED FOR THE IEA-GROUP. FOR NORTH

AMERICA AND JAPAN THERE SEEMS TO BE LESS REASONING FOR SUCH AN INTERIM SOLUTION. THESE COUNTRIES SHOULD THEREFORE DIRECTLY FROM THE START INCLUDE THE PRODUCT-IMPORTS IN THE MSP.

THIS SHOULD ALSO BE THE CASE FOR NEW ZEALAND, ALTHOUGH THERE MIGHT BE MORE FLEXIBILITY. THERE SEEMS TO BE SOME RELEVANCE TO HARMONIZE THE CONFIDENTIAL

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APPROACHES UNDER THE EMERGENCY-SHARING AND THE MSP WITH RESPECT TO WHAT PRODUCTS ARE INCLUDED AS A PRINCIPLE. TO MAKE A FURTHER DISTINCTION IN THE RELEVANCE OF THE VARIOUS PRODUCTS WITH RESPECT TO INCLUSION MIGHT HAVE AN OPPOSITE EFFECT.

TO INCLUDE NAPHTHA E.G. BUT NOT OTHER GASOLINES AND AVIATION FUELS MIGHT LEAD TO DISTORTIONS. TO INCLUDE GAS/DIESEL OIL AND FUEL OIL, BUT TO EXCLUDE MARINE BUNKER OIL WILL ALSO GIVE RISE TO ADDITIONAL PROBLEMS, GIVEN THE RELATIVE SMALL DIFFERENCES BETWEEN THE VARIOUS PRODUCT-TYPES.

IF THERE SHOULD BE A LIMITATION TO VARIOUS PRODUCTS, THE PRODUCT-INCLUSION MIGHT BEST BE LIMITED TO THE THREE PRODUCT CATEGORIES FROM THE OECD-DEFINITION ON STOCKS. 5. IF SOME OR ALL PRODUCTS SHOULD BE INCLUDED BOTH IN PRINCIPLE AND IN PRACTICE, THEN SOME MAJOR DIFFICULTIES MIGHT ARISE IN THE TECHNICAL FIELD, ESPECIALLY IN THE EUROPEAN CASE. A MAJOR DIFFICULTY SEEMS TO BE THE ORIGIN QUESTION. ESPECIALLY IF SOME ORIGINS ARE INCLUDED, WHERE OTHERS ARE NOT. DUE TO THE COMPLICATIONS IN THE PRODUCT-TRADE - WHERE MANY DIFFERENT CATEGORIES OF ONE PRODUCT, BUT ALSO DIFFERENT PRODUCTS, SOMETIMES FROM DIFFERENT ORIGINS, ARE BLENDED AND MIXED AND THEN AGAIN RE-EXPORTED - ONE PRODUCT-SHIPMENT MIGHT HAVE DIFFERENT ORIGINS FOR THE VARIOUS COMPONENTS. THIS DOES NOT ONLY CREATE DIFFICULTIES FOR DISTINGUISHING BETWEEN VARIOUS ORIGINS, BUT ALSO PERHAPS FOR DISTINGUISHING BETWEEN VARIOUS PRODUCTS.

THEORETICALLY THE BEST SOLUTION WOULD BE THAT ALL PRODUCTS FROM ALL ORIGINS, WITHOUT EXCEPTION, ARE COVERED UNDER THE MSP. SINCE THIS SOLUTION IS NOT POSSIBLE, ONE SHOULD SEEK FOR VERY GLOBAL AND PRACTICAL SOLUTIONS. WITH REGARD TO EUROPE, AND ESPECIALLY TO EEC, A COMMON DEFINITION OF THE RULES OF ORIGIN FOR PETROLEUM PRODUCTS MIGHT BE NECESSARY, IF SOME PRODUCT-FLOWS WILL BE EXEMPTED AND OTHERS NOT. THIS WILL PROBABLY LEAD TO ADDITIONAL DIFFICULTIES. FOR VERY PRACTICAL PURPOSES, HOWEVER, ONE MIGHT THINK OF A GLOBAL DEFINITION THAT WOULD LAY THE ORIGIN IN THE COUNTRY WHERE THE LATEST PRODUCT TREATMENT HAS TAKEN PLACE, WHETHER PLAIN MIXING OR COMPLICATED REFINING. THE ABOVE-MENTIONED REMARKS

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ARE ALSO VERY RELEVANT TO THE TREATMENT OF FEEDSTOCKS.
ANOTHER MAJOR DIFFICULTY MIGHT BE TO FIND A FORMULA
FOR THE RELEVANT CRUDE OIL VALUES IN THE VARIOUS
PRODUCTS. HERE AGAIN, A SIMPLE SOLUTION WOULD BE TO
TAKE THE MSP LEVEL FOR PRODUCTS AS FOR CRUDE OIL.
THIS WOULD, HOWEVER, LEAD TO A DE FACTO LOWER MSP-LEVEL
IN PRODUCT TERMS AND HENCE GIVE FURTHER INCENTIVES TO
PRODUCT-IMPORTS. ANOTHER POSSIBILITY WOULD BE TO
CALCULATE FOR EACH MAIN PRODUCT, PRODUCT-CATEGORY, THE
VALUE ACCORDING TO THE PRODUCT-YIELD. BUT THEN A
REPRESENTATIVE YIELD IS NEEDED, AT LEAST FOR EVERY
REGION. THIS MIGHT NOT BE EASY TO DETERMINE, DUE NOT
ONLY TO DIFFERENCES IN THE YIELD, BUT ALSO TO REFINERY
COSTS AND MARGINS. PERHAPS ANOTHER SOLUTION COULD BE TO
CONVERT ALL PRODUCTS IN CRUDE-OIL EQUIVALENTS BY A
FACTOR OF 1.065 (LIKE THE EMERGENCY SYSTEM), BUT THIS
WILL PROBABLY LEAD TO MAJOR DISTORTIONS.
EVEN MORE DIFFICULT IS THE QUESTION HOW TO DETERMINE
THE PRICE OF A GIVEN QUANTITY OF OIL PRODUCTS MOVING IN
INTERNATIONAL TRADE. THIS QUESTION IS ALSO RELATED TO
THE MORE GENERAL QUESTION OF TRIGGER-DEFINITIONS WITH

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RESPECT TO THE MSP. INTERNATIONAL PRODUCT MARKETS ARE BY FAR THE LEAST TRANSPARENT PART OF THE INTERNATIONAL OIL MARKET. IT IS ALMOST IMPOSSIBLE TO INTERFERE IN THE PRICES OF INTERNATIONAL PRODUCT MARKETS.

6. NOT ONLY RELATED TO THE PRODUCT-INCLUSION, ALTHOUGH THIS WOULD BE MORE EVIDENT, IS THE MORE GENERAL QUESTION OF THE DISTORTION OF INTERNATIONAL COMPETITION.

IF PRODUCTS ARE INCLUDED, THE QUESTION WILL THEN BECOME RELEVANT WHAT EFFECTS THIS WILL HAVE ON THOSE INDUSTRIES THAT USE PETROLEUM PRODUCTS AS A FEEDSTOCK. THERE IS EVEN REASONING TO EXTEND THIS QUESTION TO ENERGY-INTENSIVE INDUSTRIES. THE QUESTION WILL BE MOST IMPORTANT FOR PETRO-CHEMICAL INDUSTRIES AND PERHAPS, WITH REGARD TO THE SECOND CATEGORY E.G. THE ALUMINIUM INDUSTRY. PETRO-CHEMICAL PRODUCTS HAVE, ESPECIALLY IN EUROPE, AN INTENSIVE INTERNATIONAL TRADE. SECONDLY IT IS VERY DIFFICULT TO MAKE A CLEAR DISTINCTION IN INTEGRATED REFINERIES BETWEEN THE PETROLEUM-DIVISION AND THE CHEMICAL DIVISION. BOTH DIVISIONS ARE VERY MUCH INTERRELATED. THIS WHOLE FIELD OF PROBLEMS MIGHT, IN THE MEDIUM TERM, CREATE MAJOR DIFFICULTIES FOR OUR CONFIDENTIAL

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PETRO-CHEMICAL INDUSTRIES IN THEIR COMPETITION WITH THOSE INDUSTRIES PLANNED IN THE PRODUCING COUNTRIES. ALTHOUGH THE EXPERT-GROUP IS NOT DIRECTLY MANDATED TO EXTEND ITS WORK TO THOSE QUESTIONS, WHICH ARE MAINLY OF A COMMERCIAL POLICY NATURE, IT SHOULD BE WELL AWARE OF IT AND NOTE THEM TO THE SLT.

7. ANOTHER ELEMENT OF THE GROUP'S MANDATE IS THE QUESTION OF THE DIFFERENT TYPES OF CRUDE. THE SECRETARIAT PAPER DOES STATE THE PROBLEM VERY WELL INCLUDING THE RELEVANCE OF THE CHOICE FOR THE VARIOUS MEASURES. IF THE MSP IS TO BE EXPRESSED IN TERMS OF A MARKER CRUDE, THEN SOME PROBLEMS ARISE. TO ESTABLISH MSP-VALUES FOR ALL THE DIFFERENT CRUDE-TYPES WOULD BE THE PUREST SOLUTION, ALTHOUGH NOT THE MOST PRACTICAL. TO RELATE THE MSP TO NO MARKER CRUDE AT ALL WOULD LEAD TOMAJOR TRADE-DISTORTIONS BETWEEN THE VARIOUS CRUDE-TYPES. THERE SEEMS TO BE A LOT OF LOGIC TO DEPART FROM THE SIXTEEN MOST IMPORTANT CRUDE-TYPES MOVING IN INTERNATIONAL TRADE AS IDENTIFIED BY THE SOM. FOR ALL

THE OTHER CRUDES SOME WEIGHTED AVERAGES COULD THEN BE ESTABLISHED, IF POSSIBLE ON A REGIONAL BASIS.

8. WITH REGARD TO THE F.O.B./C.I.F. QUESTION A SIMILAR APPROACH COULD BE ENVISAGED. THE MSP-LEVEL SHOULD BE SEEN AS A CERTAIN BASE-LINE, FOR WHICH IT IS NOT RELEVANT TO BE EXPRESSED IN FOB OR CIF. ACCORDING TO THE DESIRED EFFECT, I.E. IMPORTED OIL NOT BE SOLD BELOW A CERTAIN PRICE IN THE DOMESTIC MARKET, THE CIF-VALUE IS MORE RELEVANT. HOWEVER, THERE ARE IMPORTANT PRESENTATIONAL REASONS FOR AN EXPRESSION IN FOB-TERMS. FOR THE PRACTICAL IMPLICATIONS IN THE DIFFERENT REGIONS, REPRESENTATIVE FREIGHT COSTS MIGHT BE ADDED TO THE F.O.B.-VALUES, I.E. "F.O.B. PLUS" BASIS WOULD BE THE MOST APPROPRIATE.

9. ALTHOUGH NOT EXPLICITLY MENTIONED IN THE GROUP'S TERMS OF REFERENCE, THE GROUP MIGHT WISH TO SPEND SOME TIME ON THE TRIGGER QUESTION. AS ALREADY MENTIONED IN POINT 5, THIS QUESTION IS EVEN MORE COMPLICATED FOR PRODUCTS THAN FOR CRUDE OIL. HOW IS IT TO BE DETERMINED WHEN THE MSP-LEVEL HAS BEEN REACHED? FOR CRUDE OIL THERE SEEMS TO BE NO PROBLEM WHEN OPEC SUDDENLY DECREASES ITS PRICES. BUT EVEN THEN,
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INDIVIDUAL TRANSACTIONS MIGHT TAKE PLACE WITH DIFFERENT PRICES, ESPECIALLY IN THE OPEN MARKET. IF SUCH A LIMITED QUANTITY IS OFFERED BELOW THE MSP, SHOULD THEN THE WHOLE SYSTEM BE STARTED? OR IS THIS ONLY RELEVANT TO THE COUNTRY CONCERNED? WHEN THERE IS NO ACT AS SUCH BY OPEC WITH REGARD TO CRUDE OIL PRICES, THESE QUESTIONS WILL BECOME EVEN MORE RELEVANT. FOR PRODUCTS THE PROBLEM IS EVEN MORE COMPLICATED. INTERNATIONAL PRODUCT PRICES ARE LAID DOWN IN VARIOUS MARKET-QUOTATIONS. SHOULD A REPRESENTATIVE QUOTATION BE ESTABLISHED FOR THE MAIN PRODUCTS OR NOT? THESE PRICE-QUOTATIONS HAVE NOT PROVED TO BE VERY STABLE IN THE PAST. MOSTLY THEY ARE VERY SENSITIVE FOR RELATIVELY SMALL QUANTITIES. SHOULD THERE BE A DEFINITION OF A CERTAIN PERIOD THAT THE PRICE-QUOTATIONS ARE BELOW THE MSP, BEFORE THE SYSTEM WILL BE PULLED OFF? OR SHOULD THE MSP HAVE A CERTAIN MARGIN WHICH PRICE QUOTATIONS ARE FREE TO MOVE? A NUMBER OF THESE TYPES OF QUESTIONS HAVE SO FAR NOT YET BEEN DISCUSSED BY THE SLT. IT MIGHT BE SUGGESTED THAT THE PRODUCT-PRICE MOVEMENTS WILL NOT DETERMINE THE PULLING OFF OF THE MSP-SCHEME. ONLY CRUDE PRICES SHOULD BE RELEVANT. FOR
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THE MEASUREMENT OF THESE PRICES THE SOM QUESTIONNAIRE ON PRICES OF IMPORTED CRUDE MIGHT BE TAKEN AS A BASIS. PERHAPS A SOLUTION WITH A PRICE-MARGIN AND SOME PERIOD OF TIME THAT THE PRICES ARE BELOW THE DEFINED LEVEL (FOR INSTANCE A QUARTER) IS THE MOST APPROPRIATE. THE DECISION WHETHER TO TRIGGER OR NOT COULD BEST BE LEFT TO THE SLT ITSELF.
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